

29

SPEECH

OF

MR. FOOT, OF CONNECTICUT,

ON THE

Resolution offered by him on the 29th December, 1829,
on the subject of

THE PUBLIC LANDS.

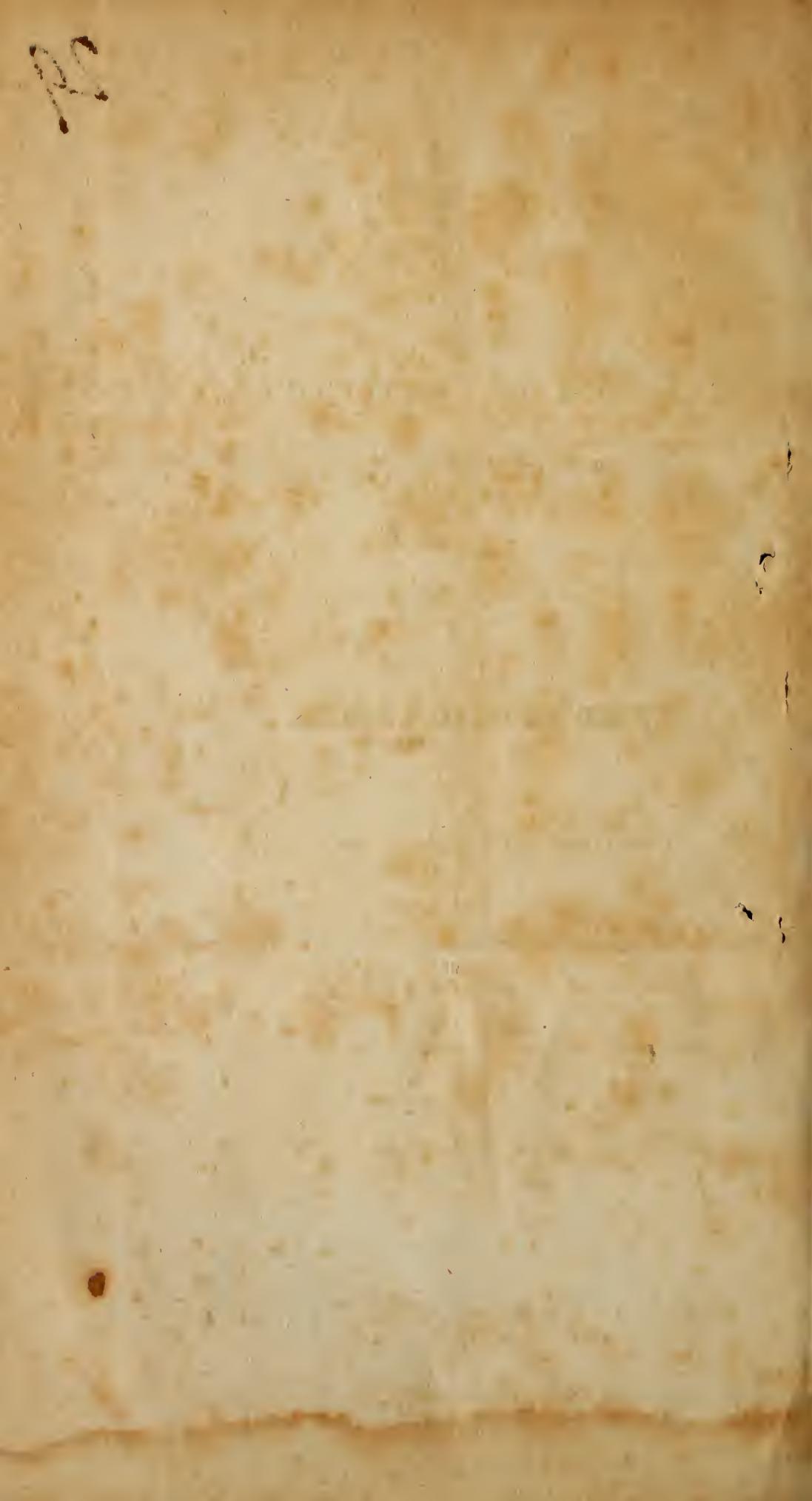
DELIVERED IN THE SENATE OF THE UNITED STATES, ON
THE 20TH MAY, 1830.

WASHINGTON :

PRINTED BY GALES & SEATON.

1830.

✓



SPEECH.

Mr. PRESIDENT : This resolution, proposing an inquiry into the condition of the public lands—a subject of very great and increasing interest, not only on account of their intrinsic value, but as connected with the settlement, the growth, and prosperity of the country—has been made the occasion for a debate, perhaps as able and interesting as any which has ever engaged the attention of the Senate. The strong interest which has been manifested, by the unusual attention of the public mind, and the avidity with which the speeches of Senators have been sought, and extensively read, has evidenced the deep solicitude, and intense interest, which has been felt through the whole community. Nor, sir, is this a matter of surprise. The various and interesting topics which have been introduced and discussed, were calculated to produce this effect.

This debate will form a compendious history of the policy of our Government, from its commencement for a half century, its progress in the arts as well as in arms, its trials, and its triumphs. It has exposed the machinations and plots which have been formed against it, and their latent causes. It has shown with what perfect ease the majesty of the laws has been maintained, and the Constitution preserved from every insidious as well as open attack ; and has demonstrated the correctness of Mr. Jefferson's opinion, "that error may safely be tolerated while reason is left free to combat it." It has disappointed the hopes of the enemies of our republican form of government, and furnished additional evidence, that "man is capable of self government." And, although in the ardor of debate, and in the latitude of discussion, some expressions have been used which savoured too much of personal hostility and sectional jealousy, it has shown, that "every difference of opinion is not a difference of principle ;" and that, notwithstanding all our prejudices, and all our jealousies, there still exists, in every section of the country, an attachment to our free institutions, to the Constitution, and to the union of the States, so sincere, and so ardent, that we may, with pride and pleasure, proclaim to the world—"The Republic is safe."

Although this protracted debate has, in some measure, defeated the object which induced me to offer the resolution—which, in my opinion, was one of great importance—still I can say, with the utmost sincerity, it causes no regret. Much valuable information has been elicited in relation to the public lands, and a *rich fund*, in relation to the genius, the structure, and policy of the Government, which will be invaluable to the rising generation and to posterity. It will be my main purpose, in pursuance of the original design, to defend the resolution and myself from some attacks made at the commencement of the discussion, and to urge its adoption.

The Senator from Missouri [Mr. BENTON] when the resolution first came up for consideration, declared “It ‘is time to make a stand, to face about, and to fight a ‘decisive battle for the West !’” And, sir, he entered the field with his bloody standard, with this motto—“*War to the knife, and the knife to the hilt !*” With this tremendous “yell” and such “notes” of “preparation,” what were we to expect ? Our only alternative was desperate resistance or indiscriminate “butchery !” I suppose we are to conclude, the decisive battle has been fought. The Senator kept up a brisk fire for four days, besides some skirmishing with the “out posts” for several succeeding days. The firing has now ceased on the part of the assailant, and with it a “*clamorque virum, clangor que Tubarum.*” What has been the result of his attack upon the resolution, or the mover of the resolution ? or upon the Middle States, or the citadel of New England ?

It would perhaps be considered rather unkind to quote upon him “*Montes parturiunt,*” &c. but, sir, it can give him no offence to quote an expression of his friend from South Carolina [Mr. HAYNE] “*he has been driven back discomfited !*” especially since he gave public thanks to the “generous South” for the tariff.

It is probable the Senator had never heard the derivation of the term *Yankee*, when he attacked the “Universal Yankee Nation !” that he may understand better the character of those People, in any future contest, I will give him its origin, so far as it has come to my knowledge. Tradition says, that, during the Revolutionary war, two citizens of Connecticut were sent to New York to negotiate an exchange of prisoners. At the table of the commander of the British army, where these gentlemen were invited to dine (not, however, for any *votes they had given*) the term “*Yankee*” was overheard in an under tone. Lord Howe, in a pleasant manner, asked these gentlemen the meaning of the term “*Yankee*” which he had heard at his table (casting a look of reproof and cen-

sure upon some young officers from whom it came.) The reply was—"It is derived from two Indian words, signifying *Wasp* and *Hornet*, and is full of meaning--the *Wasp* never abandons the citadel; the *Hornet* drives the enemy from his borders."

Sir, the resolution which the Senator compared to "Pandora's Box" is not yet demolished! but waiting very patiently for the decision of the Senate. Nor is it considered by the Senators from the West generally as "full of evils," and surely the Senator himself must acknowledge, the mover has not been much moved by his attacks, and may be assured he will decline his polite invitation to Missouri for information: it is expected here. The resolution asks information; and after the generous offer of full information at Missouri, it is expected the Senate will not refuse the committee the opportunity to furnish it. To prove the hostility of the East, the Senator has culled the yeas and nays for forty years—and what does he find? Men voting upon principle, honestly and consistently—men who did not change with every wind: votes which ought to make none but political trimmers and demagogues blush for inconsistency! and fortunate, indeed, will it be for that Senator, if at some future period, in the annals of this country, some ruthless hand should disturb his ashes, the journals shall shew as much purity of intention, and patriotism, and as much consistency in his political course, as has been found by him in his fruitless search for evidence of hostility to "his West—his Country—not mine." But, sir, where does he find hostility to the West? Where was "his West?" where was Missouri when those votes were given? A Spanish Province. Where would Missouri have been if Mr. Jefferson's advice had been followed? "To shut up the West—to prohibit any whites to settle North of Arkansas river? and to reserve it for the Indians?"

But, sir, the Hartford Convention, aye, the Hartford Convention! here was hostility to the West! Although the Senator has excepted me from any participation in the Hartford Convention, I have only to say, the people of New England themselves have settled that business, by giving the authors and abettors leave to retire to private life, where they will remain, unless the Senator, or his political friends, call them from their dignified retirement. One word to the Senator from South Carolina, [Mr. HAYNE,] who knows but little of the Republicanism of New England, if he places any of the Essex Junto at its head, and who has also made a furious attack upon the Federalism of New England. If the Republicans of South Carolina will make the same disposition of their

*

rash and imprudent men, as the Republicans of New England have done of those among them, the union of the States will be in no danger. Sir, I do not find that New England has suffered much in this contest ; few laurels have ever been gained in that section by her enemies—whether savage or civilized, internal or external, she never has asked, or received, much assistance from her sister States. Her own resources have been abundant in every emergency. She has borne her full share of public burthens and sufferings. The blood of her sons has flowed freely in the defence of other parts of the Union, and their bones are whitening on almost every battle ground. She yields to none in liberal and generous sacrifices in her country's cause. She is attached strongly to the Union ; her children are in every State : she feels no hostility, or jealousy, to any part of the Union ; she seeks the common good—and sees “ more in sorrow, than in anger,” the various attempts to excite prejudice against her ; but she relies with full confidence on her own consciousness of rectitude and strict justice to others, and asks nothing more than a kind return of reciprocal good feeling and confidence. But, sir, to such as are disposed to excite these sectional jealousies, I will only recommend a careful perusal of Washington's Farewell Address, and leave them to the “ gnawings of their own conscience,” and the execrations of all good men.

This resolution proposes an inquiry into the condition of the Public Lands ; and “ we must not even inquire,” says the Senator from Missouri, [Mr. BENTON ;] “ it is against a high moral principle on which he stands ;” and this was echoed by the Senator from New Hampshire, [Mr. WOODBURY.] And pray, sir, what is this great moral principle? “ It is not right to inquire into the expediency of doing wrong.” If he had said it is not right to do wrong, and would always stand on that ground, he would be entitled to much credit. Sir, the Senator has boasted much of “ carrying the war into the enemy's country ;” and he will pardon me for retaliating in such a warfare. If any thing has effectually checked the sale of the public lands, it has been his bill “ for graduating the price of the public lands, and giving them to the States in which they lie.” For proof of this, I appeal to the reports of the Land Commissioners, and to Senators living in those States—and under this resolution, the committee may find an effectual remedy. Reject the Graduating Bill, and the evil is entirely removed.

Mr. President : Believing most fully in the doctrines of a former President of the United States, “ that the “ acquisition of the public lands, made at the expense of

"the whole Union, not only in treasure, but also in blood,
"marks a right of property in them equally extensive ;" and that the public domain is the common property of all the States : and considering also the high responsibility resting on Congress, to make such disposition of the public lands as will promote the general interests of all the States, I proposed this resolution for the consideration of the Senate.

And although the Senator from Missouri [Mr. BENTON,] has said "the West is his country, not mine—he knows it, I do not ;" he must allow me to press the inquiry, notwithstanding his great zeal on every question in relation to his favorite subject, the Public Lands.

The Senator from Indiana [Mr. NOBLE,] who has said, "we are in possession, and we will have the land, and distance shall be defeat ;" as well as the Senator from Missouri [Mr. BENTON,] seemed to insinuate that I was trespassing on forbidden ground. But, sir, they must remember, that my State, being one of the "old thirteen," has never quit claimed her right and title to the public lands ; and, like a prudent parent, has not thought it advisable to give up all the property to the children, and trust to filial affection alone for support : and whatever may be their opinions, they must allow me the privilege of judging for myself in what way the interests of my own State will best be promoted. Whatever may be their object in commencing such an attack on a harmless resolution for inquiry merely, the effect has been to increase my solicitude for a full investigation. Nothing can excite stronger doubts of the soundness of any principle, or raise more suspicion of lurking mischief, than an overweening anxiety to exclude the light, and veil the subject in mystery and darkness. And I presume every one has by this time become fully satisfied, that this unexpected, and unprecedented attack, made by them on this resolution, has produced a great portion, if not all the excitement raised upon this subject. Resolutions of this character, merely directing inquiry, are of such frequent occurrence, that even when they are published in the journals, and suffered to pass without opposition, they produce no excitement—and the people wait for the report of the committee ; and why was this resolution opposed ? Was any favorite "Graduating Bill" thought to be in danger ? Sir, a full report from the Committee, on the subject of the Public Lands, would save much useless discussion on many bills relating to the public lands, which embrace about one half of all our legislation.

In one point we all agree, that this subject is one of great and increasing interest.

The quantity of public land has been estimated at more

than one thousand millions of acres ; 317 millions within the States and Territories, and 750 millions without those limits, 267 millions are free from the Indian claims, and 800 millions still subject to their claims, of which 55 millions are within the limits of the States, and organized Territories ; and will it be contended, that this subject is not of sufficient importance to justify, and even to demand, our attention to the management of this concern?

The Senators have seen fit to charge, not only on me, but upon the section of the country in which I reside, hostility to the Western States, and various attempts to prevent emigration to the West : and the Senator from Missouri, (Mr. BENTON) promised to "trace the progress of these measures to check emigration for 44 years!" How has he redeemed his pledge ? He has gone back far beyond his own experience or mine—and, sir, I think he has found it a Herculean task. We have often heard such charges from his own lips ; what is the proof ? does he get it from Spain ? The public mind will no longer be satisfied with a mere repetition of such charges, often made, but supported only by repeated declarations and averments. It is not sufficient proof of these charges for the Senator to quote his own speech on the Tariff, in which he says, he commented severely "on the report of the Secretary, and no Senator contested the propriety of the construction he put upon it." Sir, this Secretary was not from New England. The Tariff policy has been charged upon New England, within these walls, and throughout the Southern States. Sir, Senators on this floor certainly must know this charge is wholly unfounded. South Carolina has supported one Tariff—the Middle and Western States have had *their* Tariff : But no Tariff has been supported by a *majority of New England votes!* It has been forced upon her. This fact is well known—the Journals prove it—and I hope it may never again be misrepresented.

If the Senator proposes to draw arguments from his own speeches, he may indeed have a wide field—but the force of his arguments may not appear as great to others as to himself ; and if no Senator replies to him, does it furnish full proof that his arguments are unanswerable ? Other reasons *may exist* why no one should be disposed to answer him.

Sir, the People of New England are intelligent ; and it has been said they look well to their own interests ; but this is no proof of hostility to others. They consider the citizens of the United States as children of one great family—our fathers, our children, our brothers, and sisters, have gone to every State and Territory of this Union, and their children mingle with ours in our schools and col-

leges. We are bound together by the strongest ties of interest, of affection, and of consanguinity. What possible ground for suspicion of hostility can exist, except in a distempered imagination?

One word to the Senator from Indiana, (Mr. NORLÉ) who has said "the lands are their own, and they *will* have them, and *distance shall be defeat!*" I ask, where does he find the power, as a Senator in Congress, to vote away these lands? Has the State Legislature instructed, or authorized him to vote away their lands? And as to the great excitement of which he speaks, if any such exists, it is factitious: in common language, "got up for effect." And how can the Senator from Illinois (Mr. KANE) oppose this Resolution, when he has attempted to prove, that a radical and "thorough change in the land system is desirable, if not indispensable?" Or even the Senator from Missouri (Mr. BENTON) who has been pressing his bill "for graduating the price of public lands," for years? and has told his constituents "he had strong hopes of carrying that favorite measure during the present session, when he expected to retire from the councils of the Nation"—i. e. if the newspapers tell the truth. And with respect to the Senator from New Hampshire, (Mr. WOODBURY) who said "he should vote against this Resolution, because, he would do in this respect, as in his own case—he should be opposed to inquiry." I should probably concur in the opinion, that the Senator would be an unsafe adviser; nor can I feel the force of his argument drawn from Persia. But, sir, if the Senator claims to be the Ambassador and Minister Plenipotentiary of all the Republicans of New England, (and we have witnessed his coronation with all the forms and solemnities of Papal power, and heard him pronounced to be the "*Peter and Rock* on which the *Republican Church* shall be built," by the Senator from Missouri [Mr. BENTON])—we should like to see his credentials—let him produce his commission, shew its date, by whom signed—we want to see his instructions—that we may know with what special mission he is charged; whether with a general superintendence of all the interests of Republicans, or merely, in his own language, "to set history right"—his own (as we may suppose) or the History of his new Republican Party—their origin, their manners and customs, and the particular object of the party which has confided to *him* the conservation of all the Republicanism of New England. Sir, New England is represented on this floor by as good a portion of real, genuine Republicans of the Old School, as any section of this Union: and he must allow me to disclaim and deny any authority vested in him, to represent the Republicans of Connecticut.

Sir, the Republicans of 1798 are not to be "stretched on the bed of any modern Procrustes, or cut to its length"—they never have, and they never will range themselves under the flag of the Essex Junto. Republicans constitute a large majority, and they will not consent that their numbers shall be circumscribed within the narrow limits of the supporters of this Administration; nor will they hail them all as political brethren, while the Essex Junto and Ultra Federalists form so great a portion of their forces, and receive so large a share of Executive favors. They do not consider it to be sound republican doctrine, to remove from office an old faithful Democrat, and soldier of the Revolution, to make a place for an Ultra Federalist. A certain letter to Mr. Monroe revived the hopes of the Federal Party. That these hopes have not been disappointed, this Chamber has furnished ample proof. I do not complain of this; but I do protest against such a prostitution of the Republican name and character. Let things be called by their right names, we ask no more. The Senator's favorite doctrine of prescription—"That in every change of a President all the old Officers, "from a sense of decency, ought to retire, and if they do "not resign, they should be dismissed," is not the doctrine of the Republicans of Connecticut, as their acts will shew: Our motto is, in the language of Mr. Jefferson, "Equal and exact justice to all, of whatever State, or "persuasion, religious or political."

The Senator from Tennessee [Mr. GRUNDY] has alluded to Mr. Jefferson's proceedings in relation to my native State. Sir, if the Senator will examine Mr. J's. letter to the New Haven Remonstrants—and his refusal to remove the Collector at New London, he will find a standard by which the proceedings of this Administration will by no means bear the test: "*The right of private opinion shall suffer no invasion from me!*" was Mr. Jefferson's language; and the wide difference between Mr. Jefferson's and the present Administration is—he *found* a monopoly of office in the hands of one party, and the present Administration seems determined to *make* a similar monopoly.

But, sir, to return to the subject of the resolution:—The first provision for the sales of the public lands was established by the act of 18th May, 1796, "providing for the sale of the lands of the United States north-west of the river Ohio, and above the mouth of Kentucky river." This act provides for surveying, and laying off in townships of six miles square: one half of these townships, taken alternately, to be subdivided into sections of 640 acres; and reserves salt springs, with a township contiguous, and four sections at the centre of each township. This act directs the immediate sale of the lands thus

surveyed, and also the land unsold in the seven ranges of townships surveyed under the ordinance of 20th May, 1785, and directs the mode of payment: one-twentieth at the time of sale, to be forfeited if one-half be not paid in thirty days, and one year's credit on the balance; declares all *navigable rivers, public highways*; and in all rivers not navigable, owned by different persons, the bed and stream shall be common to both. This principle has been established in relation to all lands sold by the United States.

By the provisions of the act of 3d of March, 1807, the President is authorized to remove by force, any person who shall take possession or settle upon any of the public lands, and since this discussion has commenced, he seems determined to enforce this law.

The act of January 14th, 1812, declares that no lands sold at public sale, and reverted to the United States on account of failure to complete the payment, shall be sold at private sale at a less price than that for which the same tract was sold at public sale.

The act of 25th April, 1812, "for the establishment of "a General Land Office in the Department of the Treasury," forms the basis of our present land system. Some of the most material alterations effected by subsequent acts, will be noticed, for the purpose of affording an outline of the present system; and the most important is in the act of 24th April, 1820, "making further provision for the sale of the public lands," which merits particular attention, as it produced almost an entire change in the whole system, by changing the former credit system to cash sales; reducing the price of the public lands from \$2 to \$1 25 per acre; authorizing the sale of smaller tracts; and requiring that the land shall be offered at public sale, in half-quarter sections, or eighty acres, and may be so purchased and entered at private sale. This was an important and very beneficial provision for the actual settler. And as a further inducement to the purchaser, it is expressly enacted, that "no lands shall be sold, either at public or private sale, for a less price than \$1 25 per acre," pledging the faith of the Government absolutely to the purchaser, that the Government will not prejudice his interest, by disposing of any of their lands below the price fixed by law. By the 4th section of the same act, a further provision is made, for the relief and benefit of those who had purchased on credit, and whose lands had become forfeited and had reverted to the United States, for non-payment of the purchase money under the former credit system, allowing them a short time to make entry upon the lands relinquished by them, and prohibiting any person to enter

such lands after the 1st of July then next, until the same had been offered at public sale. These provisions, with the pre-emption rights granted, have been always considered as affording great facilities to actual settlers. The 7th section of this act, provides that "no land shall be purchased on account of the United States, except under a law authorizing such purchase." This is a very important provision, and it is to be wished that it may never be violated.

It will be recollectcd, that previous to the passage of the act of 1820, above recited, the purchasers of the public lands under the credit system, had become indebted to the United States in an amount exceeding twenty millions of dollars. On the 2d March, 1821, Congress passed the "Act for the relief of the purchasers of public lands, prior to the 1st day of July, 1820," allowing to those purchasers the privilege of relinquishing portions of the purchased lands, and applying the payments already made by instalments, to such portions of these lands as they chose to retain; and remitted and discharged the debtors from the payment of all the interest which had accrued, or would accrue, to the 30th September then next; and a further provision allowed a discount, or deduction of 37½ per cent. upon all complete and full payments made before the 30th September next ensuing; and by subsequent acts, these privileges and facilities have been extended to the 10th April, 1825, and virtually extended by an act passed this session. Several other liberal provisions are included in this act, but it is not necessary to enumerate them for my purpose, except the 10th section, which provides that "no land surrendered under this act shall be offered for sale for the term of two years after the surrender;" allowing in fact two years more for the benefit of the purchaser. Sir, this act was received with much satisfaction by the purchasers of public lands, and considered by all as an act, not only of justice merely, but of great liberality to the debtors; for the public lands, notwithstanding the ungracious charges which have been made by certain members of both Houses of Congress within a few years, and by the Senator (Mr. BENTON) during the present session, in which he boldly declares, that "nothing has been done for the West," that in all the appropriations for internal improvements only about "70,000 dollars had been for the benefit of the West." Sir, the appropriations, in land only, for the benefit of the Western States, according to a return from the Department, in answer to a resolution of mine, amounts to a sum exceeding ten millions of dollars—the land being valued at the

minimum price of \$1 25 per acre. No complaint is made of this. My own vote will be found in favor of as many of these appropriations as in my opinion sound policy and our power under the constitution would permit. And, sir, it may well be suspected, from the course of this debate, that the very liberal provisions of our laws, for the benefit of the New States, have been made the foundation of the ungrateful insinuations and direct charges of hostility to the West. An ungrateful heart is never satisfied, or won by the increase of favors—"the more you give, the more you may," is often exemplified, and the greatest favors are too often repaid by the grossest ingratitude. This charge is by no means intended for the West generally—the West is high-minded, honorable, brave, and magnanimous—but she has some unworthy sons.

But really, sir, if it has come to this, that we may not even inquire whether our system needs revision, without being told "it is not a proper subject of inquiry," that "it is time to make a stand, to face about, and to fight a decisive battle for the West, with "war to the knife and the knife to the hilt,"—for one, sir, I was ready to meet this terrible crisis. It was best to meet it at once, and not wait for the time of which we have been forewarned, that, "as soon as they get strength, they will take the public domain, without asking the consent of Congress!" And, sir, if it is seriously claimed that the public lands are the property of the States in which they lie, why are we called upon every year for an appropriation for the expense of surveys of the public lands? Do these States claim the lands as their own, and require us to survey them? It becomes a question of some importance, whether we shall go on surveying lands at an expense of 60 or 80,000 dollars a year, or abolish both the Surveyors' Offices and the Land Offices. The Commissioner of the Land Office has recommended that the number be reduced.

I will now come directly to the question, and give the reasons why, in my opinion, the sales of the public lands ought to be limited, in the manner proposed in the resolution. It must be admitted, the land now in market, and subject to entry at private sale, at the minimum price, is more than sufficient for the demand for many years to come. From the Report of the Commissioner of the General Land Office, to which I referred in offering the resolution, more than 72 millions of acres were unsold, which were subject to entry at the minimum price of \$1 25 per acre. From some of the largest land districts no sales have been made, and no returns were received. These added, will probably increase the

amount to more than 80,000,000. The quantity of land sold is estimated at about 20,000,000 ; appropriated for education, military bounties, improvements in roads and canals, &c. 20,000,000 of acres, making 120,000,000 of acres, and leaving about 30,000,000 already surveyed, which have not yet been exposed to sale. The land surveyed previous to 1828 was 138,000,000. The above estimate allows 12,000,000 of acres to have been surveyed within the last two years, making the whole quantity of lands surveyed 150,000,000 of acres ; from which, deducting the quantity sold, and that which has been appropriated by Congress for education, roads, &c. 40,000,000, will leave 110,000,000 now surveyed and undisposed of, 80,000,000 in market for sale, and subject to entry at the minimum price, and 30,000,000 ready to be brought into market at any moment to meet the demand. To this may be added a considerable portion of the lands which have been appropriated by Congress ; for it is but fair to presume that no greater portion of these lands have been sold to actual settlers than of the lands in the hands of the Government. Taking this basis of computation, it appears that 30,000,000 more must be added ; add, also, the quantity of lands now in the hands of speculators and land companies, and the original purchasers, which have never been occupied, and we may safely estimate the quantity of wild lands now in market for sale to actual settlers, at 120 millions of acres. Indeed the Senator seemed much alarmed because lands were offered for sale in Maine.

The Commissioner of the Land Office estimates the demand for land at one million acres annually. The annual sales for forty years, since the public lands have been offered for sale, have scarcely averaged half a million of acres per annum, notwithstanding the great rage for land speculation during some portion of that period; and is it to be presumed that more than this quantity is needed to induce emigration of actual settlers to the West ? Probably not one half of the lands already sold are in the hands of actual settlers, although some have been sold by the United States more than forty years. There is no doubt the limitation of sales of the public lands contemplated by the resolution will discourage speculators and others who look more to their own interest than the public weal, and from them opposition is to be expected. I ask the attention of the Senate particularly to this part of the discussion, and if my positions are incorrect, the Senators from those States in which the lands lie will correct me. My opinion is, that neither the interests of the United States, nor the best interests of the new States will be promoted by forcing such immense quantities of public lands into the market. It will not

be denied that the quantity now in market is amply sufficient to meet the demand for actual settlers for half a century. But the Senator from Missouri [Mr. BENTON] has told us these 120 millions of acres are "scraps—“mere refuse—the leavings of repeated sales and pickings—the crumbs that remain after others are served." If the statement of the Senator be correct, it certainly presents a very different picture of the allurements and fascinations of the West—"the Garden of the World"—from the one which has been held up to the emigrant. Are these the "rich bottoms"—the fertile regions—the "inexhaustible depth of soil" of which we have so often heard? In one hundred and fifty millions of acres, has there been found but twenty millions fit for cultivation? and is the remainder mere refuse? In what way does the Senator expect to sustain the dense population which his imagination but a few years since discovered "reposing "on the bosom of mother Earth, in the Valley of the "Mississippi and the Western States?"

But, sir, let us strip off the drapery thrown around this subject, and examine it minutely. How have these sales been effected? A large quantity of land is surveyed, on the application of squatters and speculators—the President issues his proclamation, that on a future day this land will be exposed to public sale. Does any one believe that the actual settler attends these sales? I beg the attention of the Senators, who must know the facts better than myself—Is there not a combination immediately formed among the companies of speculators? and are not the most choice lands selected by them, and purchased at the minimum price? for our sales for several years prove that the minimum price only is obtained, and if the minimum price was ten cents the acre, would not the small part, and of the choicest land, sold at public sale, be sold at ten cents? Dare the actual settlers attempt to bid upon these "purse-proud companies and land speculators?" I acknowledge my obligation to Senators living in those States, and conversant with the subject, for this idea and expression. The Senator has told you the West is "his country, not mine—he knows it, I do not." But, sir, I think by this investigation, we are likely to become somewhat better acquainted with it, and with the manner of disposing of the public lands, which may be useful. The quantity disposed of at these sales, is governed entirely by these companies,—some small sales of first quality, and advantageous locations, are bid off, enough to subject the land to entry at the minimum price; and all that remains is set down by the Senator as "scraps, mere refuse." But let it be remembered, about thirty millions have been

surveyed, and not yet exposed to sale, which will supply the demand for several years for settlement only beside "scraps" of former sales ; and here the settler may have "his new land, his first choice," as the Senator expresses it. But I will pursue this subject of the management of the speculators, no further ; but refer the Senate to the description given by the Senator from Alabama, (Mr. MCKINLEY,) in support of his bill for the relief of the actual settlers, in which he disclosed the plans of operation of these speculators, and proved most conclusively, from facts within his own knowledge, that these "speculators controlled the sales of the public lands, and absolutely cheated both the government and the actual settlers ;" and also a statement made by a former Receiver of the Land Office, at Huntsville, in the same State, (Alabama,) now among the files of the Senate,—"that at the sales of public lands, which commenced by proclamation of the President, on the first Monday in February, in the year 1818, at Huntsville, a formidable company appeared, which had been formed for the purpose of putting down competition amongst attending bidders, and purchasing the most valuable lands at reduced prices, intending to make re-sale, and divide the profits of the speculation, and that himself and the other officers of the government, and the superintendents of the sale, were invited to join them, and participate in the proceeds." Such proceedings beggar comment,—I leave them for the consideration of the Senate.

Another reason why I wish the sale of public lands limited is, to preserve the present land system. So long as you permit squatters to go in advance of your surveys, and make selections of the choice lands, and then follow them with surveys and sales, you constantly increase the cupidity of speculators, and scatter a very sparse population over an immense tract of country, wholly destitute of the means of either literary or religious instruction, who will be incessantly calling on the Government for protection. They have been constantly intruding upon the Indian reservations, which have been guarantied to them by the United States—the Indians, goaded to desperation—seize, perhaps, their cattle, or, in defence of their rights, raise the tomahawk, and "the welkin rings" with the cry of "horrible Indian outrages ;" the military force is called out, and the depredations of the whites upon this miserable remnant of a noble race, is made the occasion for destroying perhaps a whole tribe, "vastly more sinned against than sinning ;" or a bill is introduced into Congress for thirty or forty thousand dollars to pay for damages done by the Indians. The history of our Indian wars will shew that most of these wars have been pro-

duced by unlawful encroachments upon the Indians ; and it would seem that the cupidity of our People will never be satisfied while the Indians possess an acre of land which is thought to be better than the lands in our possession, or in which valuable minerals have been discovered by squatters, or trappers, and hunters.

The disposal of the public lands has been, in this way, absolutely wrested from the Government, and monopolized by speculators and squatters; the land system is virtually broken down, and we are gravely told, "it is best for us it should be so," and nothing remains for us but to give the squatters pre-emption rights ; and instead of legislating for them, we are to legislate after them, in full pursuit to the Rocky Mountains, or the Pacific Ocean. Your system of cash sales is destroyed, and a worse system than the old credit system grown up ; the solemn plighted faith of the Government to the Indians, "to protect and defend them in their possessions," forms no barrier, and the solemn treaties guarantying their possessions *for ever*,—means nothing further, and no longer, than until some good land or mineral is found in their possession, and then they must remove. But, sir, the sympathies of the good people of the United States is aroused ; they begin to see, and understand the course of policy which is hurrying these poor untutored sons of the Forest, and once Lords of the soil, to swift and inevitable destruction ; and are beginning to cry out, spare these poor Indians ! And their voice of mercy must and will be heard ! And it becomes us to see to it, that our plighted faith does not become proverbial, as the "*Punica Fides*" of ancient times, and that the Indian may not say, *Timeo Danaos dona ferentes* !

By confining the sales of public lands to those already in market, we shall give the greatest possible encouragement to actual settlers ; the hopes and plans of the speculators will be entirely frustrated, a steady and industrious population will rapidly increase, and the other new States will present the same animating scene, which the rapid settlement of Ohio has presented. The report of the Commissioner of the General Land office furnishes proof in this respect more valuable, and interesting, than volumes of theory and idle speculation. It shows us the sale of 25,000 acres of land in one year, in a district, in which there is but a small portion of public land ; and probably the whole amount to actual settlers. Three hundred thousand dollars were received from Ohio during the last year. The interest of the United States is perfectly identified with the interests of the new States; both are interested in the settlement of those States by an industrious and honest population. The best interests of

both will be promoted by putting down that system of speculation, which, as the Senator from Alabama very justly expressed it, "cheats both the Government and the actual settler." For a short period, perhaps, the receipts from the sales of public lands might not equal the present amount. But, sir, it cannot be the policy of the Government to follow the example of the improvident spendthrift, who cuts down all his valuable timber in a few years, and leaves his plantation stripped of its most valuable productions. The monies received from the sales of Public Lands, forms but a small part of its real value to the country—the proper facilities for encouragement of actual settlements and the security which the Government is bound to afford to its citizens within its limits—not only against violence, but also against imposition, frauds, and oppression, imperiously demand the enquiry, whether the land system cannot be saved from total destruction? Whether some plan cannot be devised, which shall promote the interest of the United States, the States in which the Public Lands lie—and the actual settler, the emigrant from the old States—and this is the object of the resolution. If the enquiry proposed is too limited, let it be extended to embrace the whole subject; it will have my full acquiescence; and I assure the Senators, who so suddenly took the alarm, when the resolution was offered, that they much mistake my views and feelings, if they believe me unfriendly to their interests; but they must not claim the lands as their own. They shall have my hearty co-operation in any plan for encouraging emigration to their States, which shall secure the emigrant a solid good, and not hold out delusive prospects, which can never be realized—a plan which shall promote the best interests of the U. States, and at the same time the best interests of the new States—by securing to them a sound and healthful population, which shall make the "wilderness to bud and blossom as the rose," "and the solitary places became vocal with the high praises of our God."

Mr. PRESIDENT. here I leave the subject involved in the Resolution; but, Sir, some other subjects which have been introduced on this occasion, demand at least an expression of opinion on my part, since they have (in Sailor language) been "*spliced*" upon this Resolution—and the first is the power of the Federal Judiciary. Although I have uniformly been the advocate of State rights, I never have, and never shall, claim for them, those rights which have been vested by the Constitution in the courts of the U. States; and Sir, in my opinion, no danger is to be apprehended, as long as we give to the Constitution a fair construction. The judicial power is clearly defined in

the 2d section of the 3rd article, and extends to all cases arising under the Constitution, and the laws of the United States, &c.—to controversies in which the United States is a party:—to controversies between States:—between a State, and citizens of another State, &c. It would seem as if no question could arise in relation to a power so clearly defined. I find no power given or reserved to a State to put its veto upon any decision of this Court; and I am for strict construction, but, as this subject was introduced by the Chairman of the Judiciary Committee, and the members of that Committee and others are more competent to discuss and decide that question, than those who are not professional men—I leave this branch of the subject in the proper hands.

Another and highly important question, and one in which the purity, if not the very foundation of our Government, rests, has been introduced by the Senator from Tennessee, (Mr. GRUNDY,) viz: the power of the President, on the subject of appointments to office—I use this language in preference to the language of the mover—"the power of removal," because it embraces (in my view) the *whole case*, and does not restrict me, to a proposition, which in my judgment begs at least half the question. The Constitution declares—the President shall nominate, and, "by and with the advice and consent of "the Senate, shall appoint &c. But Congress may by "law vest the appointment of certain officers in the "President alone, &c. He shall have power to fill up "all vacancies that may happen during the recess, by "granting commissions, which shall expire at the end of "the next session—officers may be removed by im- "peachment." This quotation embraces every provi-
sion of the Constitution on the subject of appointments, and removals. It never has been contended that the President has the sole power of appointment, unless au-
thorised by special law. Congress has authorised the President in certain cases of temporary inability, by va-
cancies in certain offices in the Departments, to assign some person to discharge the duties for six months. It is admitted, that the Constitution, does not authorise the President to remove from any civil office. But, it is contended that by virtue of his executive powers, and to enable him to comply with his oath, "to see that the laws are faithfully executed," he must of necessity possess the power of making removals—and that this power has been exercised by every President. In my opinion the necessity does not exist—for certainly the exercise of a greater power cannot be necessary, when a less power is sufficient to meet the exigency of the case. Nor do I admit that in making removals by former

Presidents, any such power has been claimed, as has been advocated on this floor—the power of making removals “at his pleasure.” Certainly no necessity exists for removing a faithful officer; his oath, to see that the laws are faithfully executed, cannot require it. In addition to this, if it becomes necessary to suspend the functions of an officer, for malfeasance, as the laws have made provision for assigning another to perform temporarily the duties of an incompetent officer, it would seem that *suspension* would be sufficient, and was contemplated by the act of Congress, making such provision.

The act of July 27th, 1789, has been relied on as giving the power of removal to the President in all cases: my inference from this act is entirely different. If the President possessed the power by virtue of his office, surely it was not necessary to insert this provision in the act; and, as it is not provided for in any other act of Congress, the fair inference is, that the intention of Congress was to vest in the President the power of removing this officer for special reasons, which do not apply to any other case. This officer, the Secretary of State, was, in fact, the private Secretary of the President. The law specified his duties, and to be performed in such manner as the President should direct; and it was considered reasonable to give the President the power of removing him; but no such reasons exist in other cases. This case, unsupported by any other, is therefore to be considered as a special exception to a general rule; and more fully establishes the general principles—for, surely, no exception could be necessary, if there was no established rule; and when an express exception is made, so far from impairing the general principle, it greatly strengthens it. It is to be construed literally, and the language is clearly this; this shall be the only exception.

In my opinion the *President has not the power of removal from office, because he has not the power to appoint*, and a lesser power cannot remove an officer appointed by a greater power, without that power is specially granted by a power equal to the appointing power. I admit that the President, during the recess of the Senate, by virtue of his general executive power, and his obligation to see the laws faithfully executed, may suspend an officer, in cases of extreme necessity, until the Senate are convened; but this is a mere suspension—no vacancy “happens” within the meaning of the constitution by such suspension, and it is not in the power of the President to fill such vacancy under the constitution; it becomes his duty to inform the Senate of the misconduct of such officer, and “by and with their advice and consent,” to make the removal and fill the vacancy; and no officer is removed

from office, and no vacancy exists, until the Senate, by their vote, "advise and consent to the appointment of a successor, agreeably to the nomination"—by which act they approve of and make the removal and create the vacancy, by the joint act of the President and Senate, which is made the appointing power by the Constitution. Will it be claimed that the Senate alone can remove from office, except by impeachment, and if one branch of the power cannot do it, is it in the power of the other branch to do it, except by a special grant of that power by Congress?

With respect to vacancies in the recess of the Senate, the sole power of the President, "to fill such vacancies, to the end of the next session," depends upon the construction of the word '*happen.*' What is its meaning? "*To come by chance or accident.*" Does a forcible removal by the President come within this definition? It will not, and cannot be claimed. It is not a vacancy which "*happens*" within the meaning or the letter of the Constitution. This point has been settled by the Senate in the case of Mr. Lanman, a Senator from Connecticut, whose term expired on the 3d March, 1825. The Senate was convened by special call of the President, on the 4th March. The Legislature of Connecticut, not being in session, the Governor of Connecticut made a temporary appointment, and forwarded a Commission, under this provision of the Constitution—"If vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments, until the next meeting of the Legislature, which shall then fill such vacancies." After full debate, the Senate decided, by a large vote, that Mr. Lanman was not entitled to a seat, upon the ground that, although there *was* a vacancy, the vacancy had not "*happened*" within the meaning of the Constitution. This appears to me to be a much stronger case than the one under consideration. In the case of Mr. Lanman the vacancy occurred by the expiration of the term of his office. A vacancy actually existed—and the only question was, how this vacancy had occurred? and, although there *was* a vacancy, the Senate would not permit the vacancy to be filled by the Executive, on the ground that the vacancy did not "*happen.*" What is the present case? Had these vacancies "*happened*" by casualty or accident? No. There was no vacancy, but the President endeavors—yes, he attempts to make a "*vacancy happen,*" by a forcible removal of the officer!!! Comment cannot be necessary—the bare statement is sufficient to satisfy every unprejudiced mind, that such vacancy does not "*happen;*" and, of course, by the decision of the Senate

in the other case, it is not in the power of the President to fill such vacancy, under the provision of the constitution, viz : "The President shall have power to fill up all vacancies that may *happen* during the recess of the Senate, &c." being precisely the same language as in the case of Mr. Lanman ; and, sir, among those who voted in the negative, on the resolution to permit Mr. Lanman to take his seat, there appears the name of General Jackson, the present President of the United States ! ! The doctrine contended for by the Senator from Louisiana, (Mr. LIVINGSTON) has, I believe, met with few supporters. There are but few even of his own political friends, I trust, who are willing, by such concessions to the Executive, as he has made, to surrender at once all the rights of the Senate. He contended that the President has the "perpetual power of appointment"—that when the Senate has rejected his nominations, he can fill the vacancies existing *after* the expiration of the session of the Senate. Such a doctrine leads at once to absolute and despotic power in the President and can never be tolerated by a Republican people. With my impressions, it certainly cannot be expected, that I should vote for the confirmation of any nomination, made in place of any one who is declared by the President to have been removed, unless information is given of the causes for which, in the opinion of the President, a removal has become necessary ; as I hold it to be the duty of the Senate, to inquire into those causes, to enable it to decide correctly, whether the public interest requires a removal. And, further, that the President cannot create, or cause a vacancy to "*happen*," by removing an officer appointed by and with the advice and consent of the Senate ; and more especially immediately after the adjournment of the Senate—or under any circumstances, without the advice and consent of the Senate for the removal ; since the same power is necessary to remove as to appoint.

The Executive Journal, which has been published, shows the mode of nomination, as well as the manner in which the Senate advise and consent to nominations. To illustrate my position :—the President sends a nomination to the Senate in these words—"I nominate A. to be Collector of the Port of —, in place of B. removed." The question is, will the Senate advise and consent to the appointment of A. "*agreeable to the nomination?*" If the Senate advise and consent to the nomination, in these terms, do they not advise and consent to the removal of B., as well as confirm the nomination of A.? And can we do this with any propriety, or consistently with a due regard to the rights of B., without knowing the rea-

sons why B. ought to be removed? For one, I answer in the negative. I cannot (with some senators) "presume that the President had good reasons," and vote in the dark. It is wholly inconsistent with *my* sense of duty. I am not willing to assume the responsibility of removing an officer, upon the presumption that the *President* has good reasons for the removal. If the reasons are good, what objection can he have to communicate them to the Senate? If no reasons are assigned for the removal, my inference would be entirely different from that of the Senator from Tennessee, (Mr. GRUNDY.) I shall presume there is *no* good reason for the removal, and shall vote against the removal and the nomination, until information is obtained on which reliance can justly be placed; and in my opinion, self-respect, and the rights, as well as the duty of the Senate, demand it. The Constitution has not made the Senate the mere recorder of the executive will, but a part of the appointing power, and responsible for the faithful discharge of this high trust.

I am aware of the decision in 1789, in relation to the power of the President to make a removal; but under the peculiar circumstances of that case, it certainly ought not to have any force as a precedent. The utmost confidence was reposed in General Washington. No suspicion or jealousy existed, that *he could* abuse the power thus granted. The question was decided by the casting vote of Mr. Adams. the Senate being equally divided, and most of the framers of the Constitution voted against it. And were they not qualified to expound the Constitution which themselves had made? And Mr. Madison, in debate, declares, if any President should presume to remove, without cause, or to "*reward his favorites,*" he would be liable to impeachment; but "*he cannot conceive how any President could be guilty of such a gross violation of duty.*" But has he not lived to see it?

But, Sir, suppose it be decided that the President has this power, no doubt exists but that he is responsible for the abuse of it. It is certainly a most responsible and delicate trust, and never to be exercised except in extreme cases, where the public interests imperiously demand it. And is it not the duty of the Senate, if possible, to check every abuse of this power?

There is not a Senator on this floor, nor an individual in this nation, of any respectability of character, and a friend to the country, who will say, that the President has the right to use this power to gratify his malice, or caprice, or to purchase "*golden opinions.*" But, Sir, there are some, and I regret to see it, who have advanced

sentiments on this subject which are well calculated to encourage the most monstrous abuse of this power. The Senator from New Hampshire (Mr. WOODBURY) was understood to say, "that every officer who differed in political sentiment, or opposed the election of a Chief Magistrate, from a sense of decency, ought to retire; " and if he did not, he had no reason to complain if he "was turned out of office." This, I believe, was at one period the New York doctrine; but certainly a doctrine, inconsistent with the rights of private opinion, hostile to the best interests of the country; and dangerous, if not wholly destructive, of civil liberty. Sir, I pronounce, without hesitation, that *any citizen who dares not exercise his elective franchise, independently, is a slave! and any one who would punish a man for the free exercise of this right, is a tyrant!* It matters not by what name he is called. If this is republican doctrine I have not yet learned it in more than thirty year's experience. Let us examine this doctrine fairly and candidly, and see its results. The picture is before us. Look at the hordes of hungry office-hunters, surrounding the quarters of General Jackson, on his arrival in this city, previous to his entering on the duties of his office. In the front rank, marshalled, the *hireling editors of newspapers! retailers of slander!* pressing on with their bills, and demanding payment; and threatening to turn their tremendous engines against the successful candidate, if *their* bills are protested, or are not promptly paid! About fifty of this class have received their reward!! In the dark ages, the *purse* and the *sword* were considered amply sufficient to secure the "*sceptre.*" In modern times the *press* must be subsidized! Sir, why was this tremendous rush of hungry leeches, and desperate fortune-hunters, to the City of Washington, during the last winter? Nothing of this kind was ever witnessed on any former occasion! Could these creatures *produce the bond?* *Did they labor for hire?* *Were they promised their reward?* Sir, the laborers on a canal were never more punctual in their attendance on Saturday evening, to receive their wages for their week's labor.

Such a system of rewards and punishments is calculated to debase the moral sense of the community! It is a regular system of Bribery and Corruption! If proscription, for the free exercise of the elective franchise, and the distribution of the offices as rewards, is to be the order of the day—farewell Liberty—she soon takes her flight from the abodes of men.

Some removals made by Mr. Jefferson have been quoted, to justify the system of proscription, for difference of opinion. Mr. J. disclaimed the principle: he

expressly declared, "the right of private opinion shall never be invaded by me"—and when several attempts were made in Connecticut and in Delaware, to procure the removal of his political opponents, he declined; the reasons for removal were expressly assigned by him. Let the parallel be drawn between the administration of Mr. Jefferson, and the present administration—between the present and all preceding administrations, and view the contrast!—In one year, more removals have been made than within the fifty preceding! And the worst and most dangerous feature in this case is, that they have been without any cause assigned: and when the causes have been sought, none have been found; they have been refused, except in one or two cases. Where a cause has been assigned (in one instance) it has been of a character, which in my judgment might have been refused with much more credit to the person making the removal, viz: "that the head of a department, and one in which large sums of money are disbursed, should have those about him in whom he could place perfect confidence," that they would not keep a vigilant watch over his official conduct—and is it come to this? Where are your guards about the public Treasury? Must every clerk in the offices be your political and personal friend—your menial servant, who breathes by your permission? Sir, this is a very dangerous doctrine? It is the doctrine of the midnight assassin—the highway robber! He selects his friends in whom he can place confidence, that he shall not be betrayed!—And must the same selection be made in your departments? Under such a system, how long can public confidence be retained? If the sword is suspended by a thread over the subaltern officer, who dares expose malfeasance in the head? Where is the difference between such a system, and the Lettres de Cachet, or the Inquisition? Your liberties are gone forever!

But, sir, removals of clerks in the Departments, is without precedent in this or any other country. In the highest party times, no such removals have heretofore been made! And although much individual distress has been produced by other removals—widows and orphans left destitute and without bread; yet such cases of distress are light, compared with some of these—but an appeal to sympathy is useles.

Although great confusion has been produced by the removal of Postmasters, and the public interest may be *not a little* jeopardized by the changes in the Collectors, and other receivers of public monies, the most palpable loss to the public has accrued from the removals in the public offices. The Retrenchment Committee verily be-

lieved some of these departments might be reduced ! What answer do you receive from the Reformers ? Oh, no ! We want more clerks ! We cannot keep our accounts without "the aid of Congress." No talents or skill can adjust them "without the interposition of Congress," says your 4th Auditor—and further, this same Auditor, lately Editor or Printer of a newspaper, in speaking of one of his brother editors, says "it is just "to the present Comptroller to state, that he is devising "means to change the mode of keeping his books to "make them *present the truth.*" Here, sir, we have in a document accompanying the President's message, the important and interesting fact, that a new officer, late editor, is very gravely and seriously puzzling his wits to make his books "*present the truth.*" "No talents or "skill, (of editors probably, as he speaks of his own "*knowledge*) can adjust their accounts without the aid "of Congress." Do they calculate that Congress has the power to make an editor a good accountant ?

But, sir, the evil resulting from the removal of experienced accountants in their offices, to give place to favorites, is manifesting itself in the loud and incessant complaints of those who come to settle their accounts at these Departments—confusion and loss of papers and vouchers, long and tedious detentions, have disappointed many, who have settled their accounts before without embarrassment or delay. And, sir, there is good ground to fear, that this prophecy of the 4th Auditor, will soon become matter of history, and such confusion ensue in these offices, as to require the aid of Congress, if not the "*sponge*" to restore order.

One word, sir, on the right of removing faithful officers. Has not the officer in your Department a right to presume, when he receives an appointment to an office, not limited by any law, that he shall be continued during good behaviour ? When no removals have ever been made except for cause ? And is it not a violation of good faith to remove a faithful and competent officer without cause ?

By the act limiting the term of office to four years, a provision is indeed made, "removable at pleasure;" but can it be claimed that this power is vested in the President alone ? Why was not the power given in express terms ? It can only be construed at the pleasure of the appointing power—the principal object of that law was to secure a faithful accountability in the officers, as is evident from its embracing those officers only to whom the public moneys were entrusted—the effect, however, is to limit the term of office—to leave a vacancy in every office during each Presidential term, and certainly super-

sedes any necessity of removals, for the purpose of filling such vacancies with the political friends of the President, if such be his object. And under this act the term of the office being fixed, the incumbent can have no claim to re-appointment, over any of his fellow-citizens, except from his faithful discharge of duty ; but, sir, a removal (except for misconduct) cannot but be viewed as a breach of good faith on the part of the Government ; it is in the nature of a contract for four years service, and on the faithful performance by the officer, the Government is bound in good faith to fulfil on its part.

But, sir, there is one view of this case which is of serious import, as involving the power, the right, and duty of the Senate. Take for example, the cases of the Treasurer of the United States, the District Attorney in Connecticut, and the Collector of the port of New Orleans. These officers ~~were nominated to the Senate,~~ and confirmed during the last session of Congress. Two of these officers were appointed for four years. An attempt was made to postpone the nominations until the fourth of March, which failed ; and the nominations were confirmed by a full, if not unanimous vote. The Senate continued in session until informed by the President he had no further communication to make ; and almost immediately after the adjournment, these officers are removed. I leave this subject, by proposing the following questions, which I shall leave for the Senate and for the public to decide. Was it competent for the President to make these removals without cause ? Was it respectful to the Senate ? What check has the Senate over appointments, if the President can remove all the officers appointed under the Constitution immediately after adjournment ? Let these questions be duly considered by the Senate. Has the honest and faithful discharge of duty no claim on public confidence ? Are twelve thousand officers, in the gift of the President, to be used as bribes, or rewards for political panders ? Are the little knots of self-created committees to single out the objects of Executive proscription and vengeance, and divide the spoils among themselves and their associates ? Is it matter of surprise that so many appointments should be made of those who are bankrupt in fortune and in character ? How long can you expect men of integrity and moral worth to fill responsible stations ? Have such been selected for office ? Has the question been, "Is he honest ? Is he capable ? Is he faithful to the Constitution ? Or is the question, what service has he rendered, or can he render to the dominant party ? And what compensation does he deserve in payment for the past, or to ensure his aid in future ?

Are these the principles upon which the American Government is to be administered? Are the rights and liberties of twelve millions of people in no danger? Is there not a redeeming spirit in the people? Must the tree of liberty, planted by our fathers, and watered and nourished with their tears and their blood, which has so long flourished and overshadowed this happy country, wither and die in our hands, without one effort for its protection?

71.2009.084.07617

